

Fargo-Moorhead Metropolitan Flood Risk Management Project

February 3, 2014



US Army Corps of Engineers
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Lawsuit Status

- ✓ Complaint filed by the Richland/Wilkin JPA on 19 August 2013 against the Corps of Engineers in U.S. District Court, District of Minnesota
- ✓ The Corps is being represented by the Department of Justice
- ✓ The Diversion Authority (DA) filed a motion to intervene on 25 October 2013
- ✓ Motion to intervene was granted on 8 November 2013
- ✓ The DA filed a Motion to Dismiss three of the four counts on 20 December 2013
- ✓ The Corps' Answer was filed on 23 December 2013
- ✓ Hearing scheduled for 18 February 2014 to address the DA's motion to dismiss

Richland/Wilkin JPA Proposal

- ✓ Includes an alignment north of the Wild Rice and Red River confluence and upstream retention. The technical details are not available
- ✓ We studied a “North of the Wild Rice” alignment (Oct ‘12) and did not select it because it impacted more residential structures and cost more
- ✓ The efficacy of HUR Study upstream retention in reducing stage at Fargo has been overstated, especially for the larger flood events. Their proposal does not address the time, cost and difficulties with implementing numerous retention sites
- ✓ In conclusion, the Richland/Wilkin JPA has not identified any new information that would change or modify the federally recommended North Dakota diversion channel with upstream staging

Improved Project – Reduced Impacts

Changes since Feasibility have:

- ✓ Reduced impacts to farming
- ✓ Reduced impacts to residences and land
- ✓ Reduced impacts to upstream areas (Richland and Wilkin Counties)
- ✓ Savings identified in EA approximately \$59 million

- ✓ **Completed Value Engineering (VE) studies**
 - ✓ Estimated project cost savings of \$270 million to date (greater than 15% of project costs)
 - ✓ Ex: \$22 M savings at outlet structure



Minnesota EIS

- ✓ Required under state law due to Class I Dam
- ✓ Corps and Sponsors are working with DNR to complete the EIS and permitting process
- ✓ DNR will utilize information from Federal EIS where possible and is planning to conduct additional studies
- ✓ Notice anticipated to be published on 10 February. Completion required in 280 days (November 2014).
- ✓ Permit(s) cannot be issued until state EIS process is complete
- ✓ Project design is continuing while MN EIS is being conducted